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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	Case No. 15-cr-0234 CRB
	)	Case No. 16-cr-0225 CRB
Plaintiff,	)	
	)	THE PARTIES' PROPOSED STATEMENT OF
v.	)	THE CASE
	)	
DAVID MILLER and MINNESOTA	)	Trial: January 9, 2023
INDEPENDENT COOPERATIVE, INC.,	)	Court: Hon. Charles R. Breyer
	)	
Defendants.	)	
	)	

The government proposes that the following short statement be read to the jury venire at the outset of the case:

The defendant David Miller is charged with five crimes: (1) participating in a racketeering conspiracy, that is, an agreement to engage in a racketeering enterprise through a pattern of criminal activity; (2) conspiracy to commit mail and wire fraud; (3) conspiracy to launder money; (4) conspiracy to engage in the unlicensed wholesale distribution of drugs; and (5) mail fraud. David Miller's company, Minnesota Independent Cooperative ("MIC"), is also a defendant in this case, charged with two crimes: (1) mail fraud; and (2) conspiracy to engage in the unlicensed wholesale distribution of drugs.

The government alleges that from July 2009 until at least April 2014, Miller, operating through his corporate entity MIC, purchased illegally diverted non-narcotic prescription drugs from a network of illegal suppliers in California, New York, and Florida. Some of those drugs included HIV, mental health, blood thinners, vasodilators, blood pressure, blood sugar, and attentional medications, among others. The government contends that Miller used his company, MIC, a licensed drug wholesaler, to reintroduce the prescription drugs into the legitimate stream of commerce. The government further alleges that Miller directed others to create fraudulent purchase orders, invoices, and pedigrees, to hide the fact that the prescription drugs had been purchased from illicit prescription drug suppliers. According to the government, Miller and MIC would then resell and ship the diverted prescription drugs to customers, including retail pharmacies and other wholesalers, in various states across the United States.

Miller and MIC have pleaded not guilty to the charges and are presumed innocent until proven guilty.

DATED: December 5, 2022

Respectfully submitted,

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/s/

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